

STATE OF MICHIGAN
COURT OF APPEALS

CITY OF ADRIAN,

Plaintiff-Appellant,

and

BROAD SHEET LEASING COMPANY and
WILLIAM A. BENZ, Successor Trustee of the
CARL A. BENZ Revocable Living Trust,

Plaintiffs/Counterdefendants-
Appellants,

v

LENAWEE COUNTY BOARD OF
COMMISSIONERS and RALPH TILLOTSON,

Defendants/Cross-Defendants-
Appellees,

and

CHARTER TOWNSHIP OF ADRIAN,

Defendant/Counterplaintiff/Cross-
plaintiff-Appellee.

UNPUBLISHED
March 8, 2005

No. 250554
Lenawee Circuit Court
LC No. 03-001250-CZ

Before: Zahra, P.J., and Murphy and Cavanagh, JJ.

MEMORANDUM.

Plaintiffs, City of Adrian, and property owners Broad Sheet Leasing Company and William A. Benz, Successor Trustee of the Carl A. Benz Revocable Living Trust, commenced this action to enjoin a special detachment election that sought to obtain voter approval to detach parcels of property from the City of Adrian to Adrian Township. The trial court denied plaintiffs' request for an injunction and granted defendants' motions for summary disposition, concluding that plaintiffs had an adequate remedy at law because they could challenge the validity of the detachment election in a postelection quo warranto action. Plaintiffs now appeal as of right. We dismiss plaintiffs' appeal as moot.

A case is moot if an event occurs that renders it impossible for a reviewing court to grant relief, and the case presents only abstract questions of law that do not rest upon existing facts or rights. *B P 7 v Bureau of State Lottery*, 231 Mich App 356, 359; 586 NW2d 117 (1998). A reviewing court will not reach moot issues or declare principles or rules of law that have no practical effect on the case before it unless the issue is one of public significance that is likely to recur, yet evade judicial review. *Federated Publications, Inc v Lansing*, 467 Mich 98, 112; 649 NW2d 383 (2002).

After this appeal was filed, the detachment proposal was rejected by the voters at an election held on November 4, 2003. Because the detachment proposal was defeated, the questions concerning the legality of the proposed detachment are now abstract questions of law, and will not affect the municipalities' boundaries. Although this controversy could arise again in the future if another detachment proposal is placed on the ballot, the question is not one that is likely to evade judicial review. *Id.* As the trial court recognized, the appropriate remedy for an illegal detachment is a postelection quo warranto action. MCL 600.4545; *Bloomfield Twp v Oakland County Clerk*, 253 Mich App 1, 17-18; 654 NW2d 610 (2002).

Dismissed as moot.

/s/ Brian K. Zahra
/s/ William B. Murphy
/s/ Mark J. Cavanagh